

REMARKS

The specification has been amended to correct various minor typographic errors. Because the changes are all formal in nature, it is respectfully submitted that they do not involve new matter.

Reconsideration of the rejection of claims 1 and 5-6 under 35 USC §102(e) in view of U.S. Patent No. 6,845,512 (Horn) is respectfully requested on the grounds that the Horn patent fails to disclose a disc carrier assembly having “*a positioning sleeve securely sandwiched between an inner periphery delimiting the central hole of the clamping device and the axial tube,*” as claimed. Instead, disc carrier disclosed in the Horn patent corresponds to the prior positioning device illustrated in Figs. 1 and 2 of the present application, in which the clamping device 31 directly engages the axial tube (un-numbered) extending from disc carrier 3.

It appears that the Examiner has mis-interpreted element 31 of Horn as corresponding to the claimed positioning sleeve. Element 31 instead is a casing that corresponds to the claimed “clamping device including a central hole and plural clamping members, the axial tube of the disc carrier being extended through the central hole of the clamping device.” Casing 31 of Horn is clearly not sandwiched between a clamping device and the axial tube. Instead, it is the clamping device, and it directly engages the axial tube.

The purpose of the present invention is to more securely fix the clamping device to the axial tube, so that it does not inadvertently come loose when removing an optical disc from the clamping device. This purpose is achieved by securely sandwiching a positioning sleeve (24) between the clamping device (20) and the axial tube (30), as best illustrated in Fig. 4. Horn does not disclose any such positioning sleeve, or any other element between the clamping device 31 and the axial tube.

Serial Number 10/621,514

Even if it were proper to interpret element 31 of Horng as a “positioning sleeve,” the result would not have been the claimed invention since element 31 of Horng cannot be considered to be “*between. . .the central hole of the clamping device and the axial tube.*” If element 31 is interpreted as the positioning sleeve, as the Examiner has done, then there is no element that can be interpreted as the “clamping device.” There is no such element because element 31 of Horng is in fact the clamping device, which engages an optical disc and not the central hole of a further clamping device.

Because the Horng patent (which is commonly assigned with the present application), does not disclose or suggest the claimed positioning sleeve, but to the contrary discloses an arrangement similar to that shown in “prior art” Figs. 1 and 2 of the present application, withdrawal of the rejection of claims 1, 5, and 6 under 35 USC §102(e) is respectfully requested.

Having thus overcome the sole rejection made in the Official Action, withdrawal of the rejection and expedited passage of the application to issue is requested.

Respectfully submitted,

BACON & THOMAS, PLLC



By: BENJAMIN E. URCIA
Registration No. 33,805

Date: May 27, 2005

BACON & THOMAS, PLLC
625 Slaters Lane, 4th Floor
Alexandria, Virginia 22314

Telephone: (703) 683-0500

NWB/S:\Producer\ben\Pending A...HJH\HORN 621514\601.wpd